IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 23RD MAY 2007 / 2ND JYAISHTA 1929

WP(C).No. 13495 of 2007(F)

PETITIONER:

M.S.MUHAMMAD, S/O.M S A MEERAN,
AGED 42 YEARS, ALFATHAF MANZIL,
VERUVALLY BHAGOM, KEERIKAD, KAYAMKULAM.

BY ADV. SRI.P.SREEKUMAR
SRI.K.S.MANU (PUNUKKONNOOR)

RESPONDENTS:
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1. THE ASSISTANT EXECUTIVE ENGINEER,
TRANSMISSION, CONSTRUCTION SUB DIVISION,
K.S.E.B. MAVELIKARA.

2. THE ASSISTANT ENGINEER,
ELECTRICAL SECTION, K.S.E.B., KAYAMKULAM WEST.

3. ADDITIONAL DISTRICT MAGISTRATE,
ALAPPUZHA.

R1&2 BY ADV. SRI.JOSE J.MATHEIKEL, SC, KSEB
R3 BY G.P. SRI.BASANT BALAJI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1: TRUE COPY OF THE BASIC TAX RECEIPT DT.22.2.2007.

P2: TRUE COPY OF THE SKETCH PREPARED BY PETITIONER.

TRUE COPY

P.A. TO JUDGE

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) No.13495 of 2007

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Dated this the 23rd day of May, 2007.

JUDGMENT

Even though petitioner's allegation is that new stay wires are laid in his property without his approval and without obtaining Additional District Magistrate's permission, Standing Counsel for KSEB submitted that the stay wires were existing for long period and all what is presently done is installation of another post to which a transformer is attached. According to Counsel for KSEB both the posts are on the road outside of petitioner's property. Counsel for the petitioner submitted that the post is installed in such a way as to prevent entry to petitioner's house which does not appear to be correct based on the sketch produced by KSEB. In any case I leave it open to the petitioner to approach the ADM with a petition for shifting the stay wire or electric post to a convenient place which is a matter to be considered by ADM after hearing the petitioner and KSEB.

C.N.RAMACHANDRAN NAIR
Judge

pms